IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.30849 of 2008
MD.AMANATULLAH KHAN @ MD.AMANULLAH KHAN
Versus
STATE OF BIHAR
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5 **18.09.2008** Heard learned counsels for the petitioner and the State (Vigilance).

Petitioner is an accused in a case registered for the offence under sections 420, 406, 409, 467, 468, 471, 474(A), 201, 109, 120B of the Indian Penal Code and section 7, 8, 13(2) read with section 13(1)(d) of the Prevention of Corruption Act vide Vigilance Police Station Case No. 014 of 2008.

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The allegation against the petitioner is to the effect that the petitioner while working as the Block Supply Officer (Marketing Officer), Garkha in conspiracy with the District Manager of the State Food Corporation, the Assistant Godown Manager and the dealer of the Public Distribution System, committed forgery in the forwarding letter containing the names of the dealers and the respective bank drafts, and in order to avoid the responsibility the petitioner knowingly alleged to have not singed the letter, which would be apparent on perusal of the list with respect to the dealers whose names are mentioned at serial numbers 33, 53 & 119. It is further alleged that on perusal of the bank drafts enclosed with the list it appears that many of the bank drafts are in one

serial number of the bank. Further allegation is that the food grains against the respective bank drafts were lifted, however instead of sending the same to different dealers for distribution among the respective beneficiaries, the same was sold in black marketing.

It is submitted on behalf of the petitioner that the allegations have been levelled against the petitioner without proper verification. It is further submitted that the list submitted by the petitioner containing the bank drafts were merely corrected where some duplications were found and in one case the bank draft was not sent because the dealership of the concerned dealer was cancelled. It is further contended that the petitioner is responsible to monitor the distribution of food grains by the dealer of the Public Distribution System. This apart it is submitted that the petitioner is a cardiac patient and he is under constant treatment after recovery from almost fatal accident on 11.09.2007 and refers the medical reports vide annexure-8.

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Learned counsel appearing for the Vigilance, on the other hand, submits that the petitioner is not entitled for grant of anticipatory bail in view of the serious nature of allegations levelled against him as mentioned in First Information Report.

Considering the submissions, as noticed above,

and in the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner namely, Md. Amanatullan Khan alias Md. Amanullah Khan be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge (vigilance), P.C.Act, North Bihar, Muzaffarpur in connection with Vigilance P.S.Case No. 14 of 2008 (Special Case No. 08 of 2008) subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

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Manish/- **(Shailesh Kumar Sinha,J.)**